

Message Text

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INFO OCT-01 AF-08 IO-13 ISO-00 CIAE-00 DODE-00 PM-04 H-01
INR-07 L-03 NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15
USIA-06 ACDA-07 OES-06 CU-02 /094 W
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P R 171012Z MAR 77
FM AMEMBASSY BONN
TO SECSTATE WASHDC PRIORITY 6552
INFO USMISSION USBERLIN
AMEMBASSY BERLIN
AMEMBASSY LONDON
AMEMBASSY PARIS
AMEMBASSY MOSCOW
USMISSION NATO BRUSSELS
USMISSION GENEVA
USMISSION USUN NEW YORK
AMEMBASSY ROME
AMEMBASSY NAIROBI

C O N F I D E N T I A L SECTION 01 OF 03 BONN 04739

E.O. 11652: GDS
TAGS: PGOV, PFOR, WB, GW, GE, US, UR, FR, UK, ECE, UNEP,
FAO
SUBJECT: CONTINGENCY PLAN FOR REPLY TO SOVIET/EAST
EUROPEAN PROTESTS ON BERLIN

REFS: (A) BONN 3619 (NOTAL); (B) BONN 3409
(NOTAL)

BEGIN SUMMARY: BONN GROUP HAS REACHED AGREEMENT ON
CONTINGENCY PLAN FOR ALLIED RESPONSE TO SOVIET/EAST
EUROPEAN PROTESTS ON THE PARTICIPATION OF BERLINERS IN
FRG DELEGATIONS AT INTERNATIONAL MEETINGS.
ACTION REQUEST: APPROVAL OF TEXT. END SUMMARY.

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1. IN MARCH 15 MEETING, BONN GROUP REACHED AD REF
AGREEMENT ON THE TEXT OF A COMPREHENSIVE CONTINGENCY
PLAN FOR REPLY TO SOVIET/EAST EUROPEAN PROTESTS ON THE
PARTICIPATION OF OFFICIALS FROM BERLIN-BASED FEDERAL
INSTITUTIONS IN FRG DELEGATIONS AT INTERNATIONAL
MEETINGS AND SEMINARS.

2. THE CONTINGENCY PLAN CONTAINS SUGGESTED ALLIED REPLIES TO THE VARIOUS KINDS OF OBJECTIONS WHICH ARE MOST OFTEN MADE BY SOVIET/EAST EUROPEAN DELEGATIONS AT SUCH MEETINGS. THE PLAN CONSISTS OF THE DRAFT RESPONSES CONTAINED IN REFS A AND B, WITH A SLIGHT MODIFICATION OF THE WORDING ON THE ALLIED REPLY CONCERNING THE CORRECT TITLE OF THE QUADRIpartite AGREEMENT. ADDITIONAL RESPONSES ON POSSIBLE OBJECTIONS TO MENTION OF BERLIN INSTITUTIONS IN OFFICIAL DOCUMENTS AND ON DISTRIBUTION OF PAPERS FROM SUCH INSTITUTIONS HAVE BEEN INCLUDED.

3. BONN GROUP ENVISIONS THAT, IN THE EVENT OF A SOVIET/EAST EUROPEAN PROTEST AT SUCH MEETINGS, THE UK, US, AND FRENCH DELEGATIONS IN COORDINATION WITH THE FRG DELEGATION WOULD WORK OUT AN APPROPRIATE REPLY DRAWN FROM THE ELEMENTS CONTAINED IN THE CONTINGENCY PLAN. AN ALLIED SPOKESMAN FROM AMONG THE THREE ALLIED DELEGATIONS WOULD THEN DELIVER THE RESPONSE SPEAKING ON BEHALF OF THE OTHER TWO DELEGATIONS. THE SPOKESMAN COULD BE DETERMINED AMONG THE THREE DELEGATIONS. THE FRG DELEGATION COULD BE EXPECTED TO ISSUE A BRIEF FOLLOW-UP STATEMENT IN SUPPORT OF THE ALLIED STATEMENT.

4. BY SEPTTEL, WE ARE SENDING DETAILS ON THREE UPCOMING MEETINGS IN LONDON AND GENEVA WHERE THE CONTINGENCY PLAN SHOULD BE USED. IN FUTURE, WE WILL REFERENCE THIS CABLE FOR USE IN MEETINGS AS THEY ARISE.

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5. TEXT OF CONTINGENCY PLAN:

BEGIN TEXT:

A. SOVIET/EAST EUROPEAN STATEMENT CONTESTING THE LEGALITY OF THE LOCATION IN THE WESTERN SECTORS OF BERLIN OF AN FRG AGENCY/OFFICE.

-- THE ESTABLISHMENT OF THE (NAME OF FRG AGENCY OR OFFICE) IN THE WESTERN SECTORS OF BERLIN WAS APPROVED BY THE BRITISH, FRENCH AND AMERICAN AUTHORITIES ACTING ON THE BASIS OF THEIR SUPREME AUTHORITY. THESE AUTHORITIES ARE SATISFIED THAT THE (NAME OF FRG AGENCY OR OFFICE) DOES NOT PERFORM IN THE WESTERN SECTORS OF BERLIN ACTS IN EXERCISE OF DIRECT STATE AUTHORITY OVER THE WESTERN SECTORS OF BERLIN. NEITHER THE LOCATION NOR THE ACTIVITIES OF THAT AGENCY/OFFICE IN THE WESTERN SECTORS OF BERLIN, THEREFORE, CONTRAVENE ANY OF THE PROVISIONS OF THE QUADRIpartite AGREEMENT.

(FOR USE IF NECESSARY, FOLLOWING A SOVIET STATEMENT THAT
THE WESTERN SECTORS OF BERLIN SHALL NOT BE GOVERNED BY

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USIA-06 ACDA-07 OES-06 CU-02 /094 W
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R 171019Z MAR 77
FM AMEMBASSY BONN
TO SECSTATE WASHDC 6553
INFO USMISSION USBERLIN
AMEMBASSY BERLIN
AMEMBASSY LONDON
AMEMBASSY PARIS
AMEMBASSY MOSCOW
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THE FEDERAL REPUBLIC OF GERMANY:)

THE STATEMENT BY THE SOVIET DELEGATE CONTAINS AN
INCOMPLETE AND CONSEQUENTLY MISLEADING REFERENCE TO THE
QUADRIpartite AGREEMENT. THE RELEVANT PASSAGE
OF THAT AGREEMENT TO WHICH THE SOVIET REPRESENTATIVE
REFERRED PROVIDES THAT THE TIES BETWEEN THE WESTERN
SECTORS OF BERLIN AND THE FEDERAL REPUBLIC OF GERMANY
WILL BE MAINTAINED AND DEVELOPED, TAKING INTO ACCOUNT
THAT THESE SECTORS CONTINUE NOT TO BE A CONSTITUENT
PART OF THE FEDERAL REPUBLIC OF GERMANY AND NOT TO BE
GOVERNED BY IT.

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B. STATEMENTS EVOKING QUADRIpartite AGREEMENT BY NON-SOVIET EAST EUROPEAN STATES

-- REGARDING OTHER COMMUNICATIONS ON THIS SUBJECT, I WOULD LIKE TO STATE THAT STATES WHICH ARE NOT PARTIES TO THE QUADRIpartite AGREEMENT ARE NOT COMPETENT TO COMMENT AUTHORITATIVELY ON ITS PROVISIONS.

C. REFERENCE TO "THE QUADRIpartite AGREEMENT ON WEST BERLIN UNQUOTE

-- THE DELEGATE OF . . . HAS REFERRED INCORRECTLY TO THE QUADRIpartite AGREEMENT OF 3 SEPTEMBER 1971 AS "THE QUADRIpartite AGREEMENT ON WEST BERLIN." I WISH TO POINT OUT THAT THE CORRECT TITLE OF THIS AGREEMENT SIGNED AT BERLIN ON 3 SEPTEMBER 1971 IS THE QUADRIpartite AGREEMENT. AS HAS BEEN STATED SEVERAL TIMES BY THE THREE POWERS, THIS AGREEMENT APPLIES TO THE WHOLE OF BERLIN.

D. STATEMENT THAT THE INCLUSION OF A RESIDENT OF THE WESTERN SECTORS OF BERLIN IN THE FRG DELEGATION IS CONTRARY TO THE QUADRIpartite AGREEMENT AND ILLEGAL BECAUSE THE FRG AGENCY OR OFFICE IS ILLEGALLY SITUATED IN THE WESTERN SECTORS OF BERLIN.

-- (BEGIN WITH TEXT IN PARAGRAPH A ABOVE.) FURTHERMORE, THERE IS NOTHING IN THE QUADRIpartite AGREEMENT WHICH SUPPORTS THE CONTENTION THAT RESIDENTS OF THE WESTERN SECTORS OF BERLIN MAY NOT BE INCLUDED IN FRG DELEGATIONS TO INTERNATIONAL CONFERENCES; IN FACT ANNEX IV OF THE QUADRIpartite AGREEMENT STIPULATES THAT, PROVIDED MATTERS OF SECURITY AND STATUS ARE NOT AFFECTED, THE FEDERAL REPUBLIC OF GERMANY MAY REPRESENT THE INTERESTS

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OF THE WESTERN SECTORS OF BERLIN IN INTERNATIONAL CONFERENCES AND THAT WSB RESIDENTS MAY PARTICIPATE JOINTLY WITH PARTICIPANTS FROM THE FEDERAL REPUBLIC OF GERMANY IN INTERNATIONAL EXCHANGES.

E. REQUEST THAT WSBPARTICIPANTS
BE LISTED SEPARATELY FROM MEMBERS OF THE FRG
DELEGATION AND/OR THAT THE
INDICATION "IN ACCORDANCE WITH THE QUADRI-
PARTITE AGREEMENT" IS REQUIRED.

-- ANNEX IV OF THE QUADRIPARTITE AGREEMENT STATES THAT,
PROVIDED MATTERS OF SECURITY AND STATUS ARE NOT AFFECTED,
PERMANENT RESIDENTS OF THE WESTERN SECTORS OF BERLIN MAY
PARTICIPATE JOINTLY WITH PARTICIPANTS FROM THE FEDERAL
REPUBLIC OF GERMANY IN INTERNATIONAL EXCHANGES AND
EXHIBITIONS. THERE IS THEREFORE NO REASON WHY SUCH
MEMBERS OF THE FEDERAL REPUBLIC OF GERMANY DELEGATION
SHOULD BE LISTED SEPARATELY OR DIFFERENTLY. IT IS
MOREOVER FOR THE FEDERAL REPUBLIC OF GERMANY ALONE TO
DECIDE ON THE LISTING OF ITS DELEGATION.

F. COMMUNICATION ASSERTING THAT SINCE MATTERS OF
SECURITY AND STATUS ARE BEING DEALT WITH BY THE
CONFERENCE, THE FEDERAL REPUBLIC OF GERMANY MAY
NOT, UNDER THE TERMS OF THE QUADRIPARTITE AGREEMENT,
REPRESENT THE INTERESTS OF THE WESTERN SECTORS OF
BERLIN.

-- AS NOTED IN THE QUADRIPARTITE AGREEMENT, THE
THREE POWERS CONTINUE TO MAINTAIN THEIR RIGHTS AND
RESPONSIBILITIES RELATING TO THE REPRESENTATION ABROAD
OF THE INTERESTS OF THE WESTERN SECTORS OF BERLIN.

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USIA-06 ACDA-07 OES-06 CU-02 /094 W

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R 171019Z MAR 77
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SUBJECT TO THEIR RIGHTS AND RESPONSIBILITIES THE THREE
POWERS LONG AGO AUTHORIZED THE FEDERAL REPUBLIC OF
GERMANY TO REPRESENT THE INTERESTS OF THE WESTERN SECTORS
OF BERLIN IN INTERNATIONAL ORGANIZATIONS AND CONFERENCES.
WITH RESPECT TO FEDERAL REPUBLIC OF GERMANY REPRESENTA-
TION OF WESTERN SECTORS OF BERLIN INTERESTS AT
THE PRESENT MEETING, THE THREE POWERS IN THE EXERCISE
OF THEIR SUPREME AUTHORITY OVER THE WESTERN SECTORS OF
BERLIN CONTINUE TO ENSURE THAT MATTERS OF SECURITY AND
STATUS ARE NOT THEREBY AFFECTED. THE REPRESENTATION
BY THE FEDERAL REPUBLIC OF GERMANY OF THE INTERESTS OF
THE WESTERN SECTORS OF BERLIN AT THE PRESENT MEETING IS
THUS IN COMPLETE CONFORMITY WITH THE QUADRIPARTITE
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AGREEMENT.

G. REQUEST THAT THE AGENCY/OFFICE SHOULD NOT BE
MENTIONED IN DOCUMENTS

-- (BEGIN WITH TEXT IN PARAGRAPH A (PART 1) ABOVE.) IN
THESE CIRCUMSTANCES THERE CAN BE NO REASON TO EXCLUDE
MENTION OF THE AGENCY/OFFICE FROM OFFICIAL DOCUMENTS
OF BLANK.

H. REQUEST THAT, BECAUSE OF THE "ILLEGAL" LOCATION OF
THE AGENCY/OFFICE IN BERLIN, DOCUMENTS ORIGINATING
IN THAT AGENCY/OFFICE SHOULD NOT BE CIRCULATED.

-- (BEGIN WITH TEXT IN PARAGRAPH A (PART 1) ABOVE.)
IN THESE CIRCUMSTANCES, THERE IS NOT REASON WHY DOCUMENTS
PREPARED BY THE AGENCY/OFFICE SHOULD NOT BE CIRCULATED

WITHIN BLANK.

END TEXT.

6. ACTION REQUESTED: THAT THE DEPARTMENT APPROVE
THE TEXT IN PARA 5.
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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
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Disposition Approved on Date:
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TAGS: PGOV, PFOR, WB, GE, GC, US, UR, FR, UK, ECE, UNEP
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